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DAE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Docket No.: 07840001AA

Shulan Tan

Confirmation No.: 1821

Serial No.: 09/804,878

Group Art Unit. No.: 2837

Filed: March 13, 2001

Examiner: Lockett, Kimberly R.

For: **APPARATUS AND METHOD OF LETTER LEARNING FINGER
PATTERNS FOR STRINGED INSTRUMENTS**Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**RECEIVED**

SEP 27 2005

Office of Patent Publication
Director's Office**RECEIVED**

APR 19 2004

TECHNOLOGY CENTER 2800
SPECIAL PROCESSING CENTER**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**
UNDER 37 C.F.R. §1.181(a)

Sir:

Applicant has received a Notice of Abandonment mailed on March 2, 2004 for the above-identified patent application, a copy of which is enclosed. The Notice of Abandonment alleges that Applicant failed to respond to a Notice to File Corrected Application Papers mailed by the Office on October 8, 2003. Applicant believes that the Notice of Abandonment is incorrect, because Applicant did reply to the Notice to File Corrected Application Papers on October 20, 2003. Therefore, Applicant respectfully petitions for withdrawal of the holding of abandonment. No fee is believed to be due in connection with this petition, but if that is incorrect and a fee is due, the fee may be charged to Deposit Account No. 23-1951.

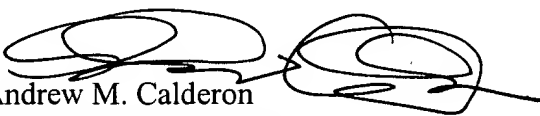
The Notice to File Corrected Application Papers indicated that no brief description of the drawings had been provided for Figs. 18 and 19, which were originally filed with the application, and set a non-extendable 30-day period for reply. On October 20, 2003, well within the 30-day period for reply, Applicant submitted a response to the Notice to File Corrected Application Papers that included an amendment to the specification to insert the required description. That response was accompanied by a postcard receipt which indicated that the filing consisted of "a Response to Notice to File Corrected Application Papers," "a copy of the Notice to File

Corrected Application Papers,” and “an acknowledgment postcard.” Applicant encloses a complete copy of the response that was filed on October 20, 2003, along with a copy of the postcard stamped by the Office of Initial Patent Examination indicating receipt of the documents by hand delivery on October 20, 2003. To the best of the undersigned’s knowledge, the response filed on October 20, 2003 was a complete response to the Notice to File Corrected Application Papers and was actually filed on that date. Accordingly, Applicant requests that the holding of abandonment be withdrawn and that this application be returned to issue.

Favorable consideration of this petition is earnestly solicited. If the deciding official has any questions, he or she is invited to contact the undersigned to discuss those questions.

As an additional matter, Applicant has noticed an inaccuracy in the text of the October 20, 2003 response and, therefore, encloses a supplemental response. Entry of the supplemental response is respectfully requested.

Respectfully submitted,

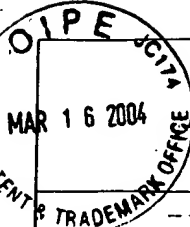

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Enclosures: Copy of Notice of Abandonment
Copy of stamped postcard receipt
Copy of Response filed October 20, 2003
Supplemental Response

MAR 16 2004



Notice of Abandonment

Application No.

Applicant(s)

91804,878

Shulan Tan

Examiner

Art Unit

Kimberly McKell

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 10/08/03.

(a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.

(b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).

(c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).

(d) ☒ No reply has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).

(a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).

(b) ☐ The submitted issue fee of \$ _____ is insufficient. A balance of \$ _____ is due.

The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d) is \$ _____.

(c) ☐ The issue fee and publication fee, if applicable, has not been received.

3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).

(a) ☐ Proposed new formal drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.

(b) ☐ No corrected drawings have been received.

(b) ☐ No corrected drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☒ The reason(s) below:

Figures 18 and 19 are not described on page 6.

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



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PATENT OFFICE

OCT 23 2003

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Inventors:	Shulan Tan	Date:	October 20, 2003
Serial No.:	09/804,878	Group Art.:	2837
Filing Date:	March 13, 2001	Examiner:	Lockett, Kimberly R.
For:	APPARATUS AND METHOD OF LETTER LEARNING FINGER PATTERNS FOR STRINGED INSTRUMENTS	Atty. Docket:	07840001AA

Commissioner for Patents:

Please place the Patent Office receipt stamp hereon to acknowledge receipt of the following:

1. A Response to Notice to File Corrected Application Papers;
2. A Copy of the Notice to File Corrected Application Papers; and
3. An acknowledgement postcard.

Andrew M. Calderon
Registration No. 38,093

HAND DELIVERED

